

PS 8  
(5/04)

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAN 24 2014

SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

# UNITED STATES DISTRICT COURT

for

Eastern District of Washington

U.S.A. vs.

Olney, Samuel Dan R.

Docket No.

0980 2:13CR02092-029

## Petition for Action on Conditions of Pretrial Release

COMES NOW Jose Zepeda, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Samuel Dan R. Olney, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge James P. Hutton sitting in the Court at Yakima, Washington, on the 12th day of September 2013, under the following conditions:

**Condition #6:** Defendant shall report to the United States Probation Office before or immediately after release and shall report as often as they direct, at such times and in such manner as they direct.

**Special Condition #1:** Defendant shall submit to random urinalysis testing as directed by the U.S. Probation/Pretrial Services Office.

**Special Condition:** Defendant shall undergo a substance abuse evaluation and participate in treatment as directed by a U.S. Probation Officer.

## RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

**Violation #1:** Mr. Olney failed to report to the U.S. Probation Office on January 22, 2014, by 4:30 p.m. as directed.

On January 15, 2014, a home visit was conducted at Mr. Olney's residence, but the defendant was not located. A business card was posted on the defendant's front door instructing him to report to the probation office the following day by 11 a.m. This officer spoke with Mr. Olney's wife via telephone who assured would give the defendant the message to report to the probation office. On January 16, 2014, this officer received a call from Mr. Olney's wife stating the defendant was in the emergency room at the Toppenish Hospital. A message was left with the defendant's wife, instructing Mr. Olney to report to the probation office upon his discharge from the hospital or the following day if discharged after hours. Mr. Olney failed to report as directed. On January 21, 2014, this officer spoke with Mr. Olney on the telephone and was confronted on his failure to report on January 17, 2014. Mr. Olney stated he did not report because he assumed he was already in trouble and did not want to face the consequences. Mr. Olney was given a final opportunity to get back in compliance with his pretrial conditions, and was directed to report on January 22, 2014, by 4:30 p.m. The defendant again failed to report as directed.

**Violation #2:** Mr. Olney failed to submit to a urinalysis test as directed by his probation officer on January 22, 2014, by 4:30 p.m.

On January 21, 2014, Mr. Olney was directed to report to the probation office by 4:30 p.m. and submit to a urinalysis test. The defendant acknowledged and agreed to report as instructed, however, he failed to comply.

PS-8

Olney, Samuel Dan R.  
Page 2

**Violation #3:** Mr. Olney has failed to show proof he has obtained a drug and alcohol evaluation and enrollment in chemical dependency treatment as directed as of January 23, 2014.

On January 21, 2014, Mr. Olney reported he obtained a drug and alcohol assessment at Merit Resource Services and is scheduled to start intensive outpatient treatment at the Yakama Nation drug and alcohol program on January 27, 2014. Mr. Olney was directed to report to my office on January 22, 2014, and provide verification he completed the assessment and proof of enrollment in treatment but failed to do so.

PRAYING THAT THE COURT WILL ORDER A WARRANT

---

Respectfully submitted,

by s/Jose Zepeda

Jose Zepeda  
U.S. Pretrial Services Officer

Sworn to before me, and subscribed.

---

Date at Yakima, Washington

---

Signature of Judicial Officer

THE COURT ORDERS

No Action  
 The Issuance of a Warrant  
 The Issuance of a Summons  
 Other

*Rosana Maloy Peterson*  
Signature of Judicial Officer  
*January 24, 2014*  
Date